

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

MARY HOLMES, L.V., and EMPOWER  
MISSOURI,

Case No. 2:22-cv-04026-MDH

Plaintiffs,

*-against-*

JESSICA BAX, in her official capacity as  
Director of the Missouri Department of  
Social Services,

Defendant.

**REQUEST TO HOLD PLAINTIFFS MOTION FOR ATTORNEY FEES IN  
ABEYANCE**

Defendant Jessica Bax, in her official capacity as Director of the Missouri Department of Social Services, by and through the undersigned counsel, hereby requests an extension of time to file her Response to Plaintiffs' Motion for Attorney Fees.

1. On May 9, 2024, this Court entered an interlocutory order granting summary judgment for the Plaintiffs, but held the issue of form of relief open. ECF 161.
2. This Court entered an order regarding relief on May 6, 2025. ECF 220.
3. In the May 6, 2025, order, the Court granted the Plaintiffs 60 days to file a motion for fees. ECF 220.

4. On July 7, 2025, Plaintiffs filed their Motion for Attorney Fees, along with supporting documentation. ECF 229-231.

5. Defendant has filed a notice of appeal in this matter, and a briefing schedule was entered on July 15, 2025. ECF 232.

6. Defendant anticipates this appeal will involve several issues that could impact the award of fees in this case, particularly in light of several United States Supreme Court decisions that have been entered since this Court's May 9, 2024 and May 6, 2025, orders.

7. Defendant's suggestions in opposition to the plaintiff's fee motion are presently due on July 21, 2025.

8. Defendant requests the Court hold the attorney fee motion in abeyance, until after the pending appeal is resolved. Defendant believes that addressing fees in this matter after, and in light of, any appellate decision will be more economical for both this Court and the parties.

9. Defendant has conferred with Counsel for the Plaintiffs, and Plaintiff's do not oppose this motion.

WHEREFORE, Defendant respectfully requests the Court grant additional time for Defendant to file his response to Plaintiff's Fee Motion.

ANDREW BAILEY

Attorney General of Missouri

By: /s/ Hardin T. Haynes

Hardin T. Haynes, #67474

*Assistant Attorney General*

Attorney General's Office

207 W. High Street

Jefferson City, MO 65102

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing document was forwarded to all attorneys of record via the Court's electronic filing system this 21<sup>st</sup> day of July, 2025.

*By: /s/ Hardin T. Haynes  
Attorney for Defendant*